

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
- v. - :
:
JESSE RODRIGUEZ, :
:
Defendant. :
:
- - - - -x

ORDER

18 Cr. 488 (LTS)

WHEREAS, following proceedings conducted pursuant to 18 U.S.C. § 4241, the Court has considered all of the evidence presented pertaining to the defendant's mental competency, including reviewing (i) the report issues by Dr. Thomas Marc Pabon, submitted to the Court by letter dated January 30, 2019; (ii) the report issued by Dr. Cheryl Paradis, dated March 20, 2019; (iii) the certificate of restoration of competency to stand trial issued by T. Scarantino, the Warden of the Federal Correctional Complex, Butner, dated November 4, 2019, appending the report of Dr. Gillespie Wadsworth and Dr. Tracy O'Connor Pennuto; (iv) the report issued by Dr. Cheryl Paradis, dated December 13, 2020; (v) the report issued by Dr. William P. Milberg, dated April 26, 2021; (vi) and the medical records of the defendant, as reported and provided by defense counsel during the course of proceedings before the Court;

WHEREAS, both the Government and the defendant, by way of defense counsel Clay Kaminsky, Esq., take the joint position that the defendant's mental competency has been restored, and

jointly request that the Court make a finding that the defendant's mental competency has been restored and that the defendant has the mental capacity to permit criminal proceedings to go forward against him;

WHEREAS, on the basis of the aforementioned evidence and the parties' recommendation, the Court finds by a preponderance of the evidence that the defendant has recovered to such an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense;

IT IS HEREBY ORDERED, pursuant to 18 U.S.C. §§ 4241 et seq., that the defendant's mental competency has been restored and the defendant has attained the mental capacity to permit criminal proceedings to go forward against him.

SO ORDERED.

Dated: New York, New York
August 13, 2021

/s/ Laura Taylor Swain
HONORABLE LAURA TAYLOR SWAIN
CHIEF UNITED STATES DISTRICT JUDGE